

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Bradford Thorne Duncan

Docket No. 7:11-MJ-1035-1

Petition for Action on Probation

COMES NOW Kevin L. Connolley, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Bradford Thorne Duncan, who, upon an earlier plea of guilty to Reckless Driving, 18 U.S.C. §13, NCGS 20-140(b), was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on December 21, 2011, to a 12 month term of probation under the standard conditions adopted by the court and the following additional condition:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant is being supervised by USPO Julia K. Roberts in the district of his residence, Eastern Missouri. USPO Roberts has reported that on December 31, 2011, Mr. Duncan was arrested by the Virginia Beach Police Department, Virginia Beach, VA, and charged with Simple Assault. The charge is pending. The charge stems from Mr. Duncan's alleged travel out of his district of supervision without permission to Virginia Beach to visit an old girlfriend. The offender told USPO Roberts he became very intoxicated during the visit and assaulted her in the course of an argument. Duncan expressed regret for the violations and agreed to seek counseling at the direction of his probation officer.

USPO Roberts has recommended Mr. Duncan be continued under supervision and special conditions for Drug Aftercare, Mental Health Aftercare, and an Alcohol Abstinence Condition be added to his conditions of supervision. I concur with USPO Roberts and ask the court to add the requested conditions by signing the order included with this petition. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a drug or alcohol abuse treatment program approved by the United States Probation Office, which may include substance abuse testing, counseling, residence in a Community Corrections Center, Residence in a Comprehensive Sanctions

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Center, Residential Re-Entry Center, or inpatient treatment in a treatment center or hospital. The defendant shall pay for the costs associated with substance abuse services provided based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.

2. The defendant shall abstain from the use of alcohol and/or all other intoxicants.
3. The defendant shall participated in a mental health program approved by the United States Probation Office. The defendant shall pay for the cost associated with the services provided based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.

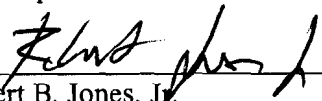
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: January 10, 2012

ORDER OF COURT

Considered and ordered this 10 day of January, 2012, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge